

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
FEBRUARY 28, 2005

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Darren Williams
INVOCATION	Father William H. Kelly Emanuel Episcopal Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

MOSS ADOPTED	February 14, 2005
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C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

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| LILLARD
ADOPTED | 1. Resolution honoring former Shelby County Commissioner Thomas W. “Tommy” Hart, as 2004 Collierville Person of the Year by the Collierville Chamber of Commerce. |
| LILLARD
ADOPTED | 2. Resolution commending Christi Pittenger, as an exemplary citizen of Shelby County, Tennessee. |
| FORD
ADOPTED | 2A. Memorial resolution offered in honor of Reverend Charles James Patterson, Jr. |
| BOLTON
ADOPTED | 2B. Memorial resolution offered in honor of Richard Simpson. |

Ordinances

Zoning and Subdivisions

Reports and/or Resolutions of Standing Committees

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| KIRK
ADOPTED | 3. | Resolution approving the sale of twenty-seven delinquent tax parcels from Tax Sale(s) 33, 48, 49, 55, 82.2, 83.1, 85.2, 89.5, 93.2, 94.3, 94.4, 95.1, 95.2, 96.1, 96.2, 97.3, 97.4, 98.2 and 99.2 pursuant to the provisions of Tennessee Code Annotated 67-5-2507. |
| KIRK
ADOPTED | 4. | Resolution amending the FY 2005 Operating Budget by transferring funds to be appropriated to Crimestoppers. |
| LILLARD
ADOPTED | 5. | Resolution amending the FY 2004/2005 Operating Budget for the Division of Public Works, Department of Homeland Security Weapons of Mass Destruction Grant in the amount of \$4,944,534.40. |
| THOMPSON
ADOPTED | 6. | Resolution approving an amendment to the contract with Women in Community Service, Inc., to renew said contract for an annual term ending September 30, 2005 at the amount of \$208,714.00. |
| THOMPSON
ADOPTED | 7. | Resolution to approve expenditure to Dell for the purchase of computer hardware from Western States Contracting Alliance; and to appropriate funds from FY2004/2005 CIP Project Number 101737, Criminal Court Clerk – Integrated Document Management System, in the amount of \$45,688.12. |
| THOMPSON
ADOPTED | 8. | Resolution approving professional services contract with Comprehensive Counseling Network in the amount of \$117,202.00. This project is funded by the State of Tennessee, Department of Children’s Services for the period of July 1, 2004 through June 30, 2005. |
| KIRK
ADOPTED | 9. | Resolution to approve Amendment #2 to the Shelby County Community Services Agency Weatherization Assistance Program contract due to additional allocations from the Tennessee Department of Human Services and to amend the FY 2005 Operating Budget. |
| KIRK
ADOPTED | 10. | Resolution approving an amendment to agreement with Serenity Recovery Center in the amount of \$13,066.00 to provide professional services for homeless persons with alcohol or drug addictions/problems. |
| FLINN
(DEFERRED
TO 03/14/05) | 11. | Resolution approving an agreement for Payments in Lieu of Taxes (PILOT Agreement) to be executed by the Health, Educational and Housing Facility Board of the County of Shelby, Tennessee (the “Board”). |
| LOEFFEL
ADOPTED | | CONSENT AGENDA |

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

**MOSS
(DEFERRED
TO 04/25/05)**

12. **ORDINANCE – (ZTA 03-002 CC) THIRD READING – A** joint ordinance amending the Memphis an Shelby County Zoning Ordinance adopted by the Shelby County Board of Commissioners on October 6, 1980, and the Council of the City of Memphis on October 7, 1980; being Joint Ordinance No. 3064, as amended, by amending Section 29 - Signs
 Subsection III – Definitions;
 Subsection IV – Classification of signs;
 Subsection V – Signs prohibited;
 Subsection VI – General standards;
 Subsection VII – Permanent on-premise sign regulations;
And by creating a new Subsection XII – Violations,
And a new Subsection XIII – Enforcement and Penalties;
amending Section 30 – Nonconformities; Subsection E – Nonconforming on-premise and off-premise signs; providing for severability; providing for repeal of conflicting ordinance requirements; and providing an effective date.

Zoning and Subdivisions

**MOSS
(DEFERRED
TO 03/28/05)**

13. Resolution approving the appeal of Mr. Darrell K. Thompson seeking to overturn the action of the Memphis and Shelby County Land Use Control Board approving an additional two-year period in which a final plat is required to be filed for Brunswick Farms Subdivision (Case No. S 96-045 CO).

LEGAL OWNER: WATCO (Wayne Todd, President)
APPELLANT: Mr. Darrell K. Thompson
LOCATION: North side of U.S. Highway 70; beginning 845.40 feet east of the intersection of Brunswick Road and U.S. Highway 70.
REQUEST: Appeal to overturn the action of the Land Use Control Board approving a two (2) year time extension for the preliminary plat of the Brunswick Farms Subdivision.

Memphis and Shelby County Office of Planning and Development recommendation:

APPROVAL SUBJECT TO REVISED CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:

APPROVAL SUBJECT TO REVISED CONDITIONS

(No notice of public hearing in newspaper of general circulation required; however, notice letters to interested property owners mailed on Friday, February 18, 2005.)

MOSS
(DEFERRED
TO 03/14/05)

14. CASE NO. Z 04-127 CC
APPLICANT: Artis Parker
- LOCATION: Northwest corner of Brunswick Road
and Phillip Road
- REQUEST: Taking property out of the
Agricultural (AG) Use District and
including it in the Neighborhood
Commercial (C-N) Use District
- Memphis and Shelby County Office of Planning and
Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News
on Friday, February 18, 2005.)

MOSS
ADOPTED

15. CASE NO. Z 04-142 CC
APPLICANT: Erric P. Little
- LOCATION: West side of Pisgah Road; +/-4,323
feet south of Latting Road
- REQUEST: Taking property out of the
Agricultural (AG) Use District and
including it in the Single Family
Residential (R-S15) Use District.
- Memphis and Shelby County Office of Planning and
Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board
recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News on
Friday, February 18, 2005.)

Reports and/or Resolutions for Standing Committees

FORD
ADOPTED

16. Resolution to amend Shelby County Retirement System
Plan C to change the effective date and to require all
employees whose date of employment is on or after
March 1, 2005, but before the effective date to transfer
from Plan A to Plan C.

**BOLTON
(DEFERRED
TO 03/14/05)**

17. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An to authorize Shelby County to levy and collect a Privilege Tax on development in order to provide that development contribute its fair share of the cost of providing and maintaining public facilities and services made necessary by such development."

**BOLTON
(DEFERRED
TO 03/14/05)**

18. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the Shelby County Legislative Delegation to support legislation to strengthen the state stalking laws.

**BOLTON
(DEFERRED
TO 03/14/05)**

19. Resolution endorsing and confirming efforts to secure proposed legislation relative to a tax on the privilege of recording transfers of realty.

Announcements/Statements

20. Notification from county mayor of various appointments reappointments to Boards, Commissions, and offices of Shelby County Government.
- a. Resolution approving the county mayor's nomination of Jeffrey T. Higgs for appointment to the Shelby County *Housing Authority*.
 - b. Resolution approving the county mayor's nomination of Edward Stanton III for reappointment and Jennifer Shorb Hagerman for appointment to the Memphis and Shelby County *Center City Commission*.

(Referred to Committee #10)

Adjournment

**FORD
ADOPTED**

21. Resolution of Adjournment to March 14, 2005, at 1:30 p.m.

[For questions regarding the Agenda,
please call Steve Summerall at 545-4301.]